

RAYMOND C. CABALLERO
MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
FEBRUARY 18, 2003
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Rose Rodriguez, John F. Cook, Daniel S. Power, Luis G. Sariñana and Anthony Cobos. Absent: None. Late Arrivals: Jan Sumrall, Larry M. Medina and Paul J. Escobar. Meeting was called to order and the invocation was given by Fire and Police Chaplain Sam L. Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

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Motion made Representative Cook, seconded by Representative Sariñana and unanimously carried to delete the Resolution that the City Council be authorized to accept from Jobe Concrete Products, Inc., a donation of one (1) 25 Cubic Yard rolloff container, and authorize the Mayor to sign a License Agreement between the City of El Paso and Jobe Concrete Products, Inc. to allocate a portion of the property located at 2492 Harrison to be utilized as a Citizen Collection Station, on behalf of the City of El Paso Solid Waste Management. Additionally, Jobe Concrete Products, Inc. will provide an entrance gate, barricade rails to section the area and provide landscaping for an aesthetic atmosphere. The property will serve as a Citizen Collection Station, as long as the site is used only for a collection station for the use of the residents of the City of El Paso.

Representative Rodriguez questioned the postponement.

Representative Cook expressed his concern about the collection stations not being operative yet.

Ms. Rita Rodriguez, City Attorney, recommended deletion of the item and that it will be brought back to Council at a future date.

Mr. Richard Razo, Assistant Deputy Director for Solid Waste Management, explained there is a change in wording that will be corrected next week.

Representatives Sumrall, Medina and Escobar were not present for the vote.

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Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.

(Items approve, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

Representatives Medina and Escobar were not present for the vote.
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MAYOR'S PROCLAMATIONS

1. National Engineers Week
2. Founder's Day for All Purple Heart Recipients
3. National Trio Day

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this sanitation lien for:

	<u>Lien Amount</u>	<u>Interest</u>	<u>Total</u>
1732 Larry Hinson Drive	\$129.36	\$71.44	\$200.80

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application to the American Heart Association on behalf of the City of El Paso and its Police Department, for grant funding in the amount of \$50,375.00 for the purpose of obtaining fifty automated external defibrillators that would be placed some of the Police Department's patrol vehicles. Matching funds required in the amount of \$50,375.00.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement between the City of El Paso and Comcorp to work in conjunction with the El Paso Police Department to develop short television presentations regarding different traffic laws to be called rules of the road spots and to permit Comcorp to acquire corporate sponsors or sell advertising in connection with the presentation of the rules of the road spots on its television station, KTSM.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a letter providing Notice of Termination of the Contract by and between the City of El Paso and Guevara Rebe Baumann Coldwell & Reedman LLP related to collection of housing rehabilitation loans.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an acceptance to a Right-of-Entry Agreement granted by AutoZone, Inc. for the following property in connection with the Collingsworth Subdivision Phase IV Street and Drainage Improvements Construction Project, a 27th Year Community Development Project:

A portion of Lots 1 and 2, Block E, COLLINGSWORTH SUBDIVISION, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 5, Page 13, Plat Records, El Paso County, Texas.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute and file a Grant Application with the Paso del Norte Health Foundation, on behalf of the Retired and Senior Volunteer Program, in the amount of \$25,000, this application will be in effect from April 1, 2003 through March 31, 2004; and

That Deborah G. Hamlyn, Director, Community and Human Development, be authorized to furnish such additional information as the Paso del Norte Health Foundation may require in connection with the Grant Application for this program; and

That the Mayor be authorized to execute, on behalf of the City of El Paso, any Grant Agreements for the above amount, or for a greater or lesser amount, and any amendments to the initial Grant Agreement which increases, decreases, or de-obligates Program funds, provided that no additional City funds are required, upon approval by the Paso del Norte Health Foundation for aid in financing this program. No City matching funds required.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City of El Paso approves the participation by the El Paso Fire Department in the Black History Month Parade to be held by the Inter Club Council on Saturday, February 22, 2003, by providing a 1948 Mack Fire Engine and the Fire Chief's sedan as entries in the parade.

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Director of the El Paso Public Library ("the Library") be authorized to sign the Costume Appearance Agreement with Penguin Putnam, for the loan of a "Hungry Caterpillar" walk-about character costume from March 6 to March 17, 2003. The costume shall be used for programs at all libraries during such time period. The cost to the Library is \$450, which covers the shipping and handling costs. (All Districts).

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a permit modification application to the Executive Director of the Texas Commission on Environmental Quality, and related documentation, requesting authorization for the City of El Paso to replace a damaged gas monitoring probe at the Clint Landfill. This application is being made in accordance with 30 TAC 305.70(j)(17), as a minor change to a municipal solid waste facility that does not substantially alter the permit or its registration conditions and does not reduce the capability of the facility to protect human health and environment. There is no cost related to this application.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** on behalf of the Arts and Culture Department and **RAYMUNDO CANTU** at a rate of \$8.67 per hour, not to exceed 20 hours per week without permission from the Co-Op Coordinator. The contract period is from February 19, 2003 through February 18, 2004.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ROSALINDA S. VARGAS** to assist the Arts and Culture Department at an hourly rate of \$9.39, not to exceed 20 hours per week. The term of the contract shall be for the period of February 1, 2003 through January 31, 2004.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **JOHN DANIEL WHITE** to assist the El Paso Water Utilities at an hourly rate of \$9.00 per hour, not to exceed 20 hours per week without permission from the Co-Op Coordinator, in which case student may work up to 40 hours per week. The contract period is from February 19, 2003 through February 18, 2004.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract with **JESUS M. OLIVAS** for professional services as Hearing Officer for the Civil Service Commission, for a period from February 20, 2003 through February 19, 2004, at the rate of \$100.00 per hour, not to exceed 25 hours per month without prior approval of the Commission Chair.

Representative Sumrall asked question of Ms. Lupe Cuellar, Assistant City Attorney.

Motion made by Representative Sumrall, seconded by Representative Sariñana and unanimously carried to approve the above Resolution.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **DORIS PEREZ** to coordinate the Museum School for the El Paso Museum of Art, at an hourly rate of \$17.00, not to exceed 30 hours per week. The term of the contract shall be for the period of March 13, 2003 through August 29, 2003.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a First Amendment to the Professional Services Agreement between **MOFFATT & NICHOL ENGINEERS** and the **CITY OF EL PASO**, to amend the scope of services, compensation and method of payment.

Representative Cobos expressed his concerns on paying with Certificates of Obligation and the allocation of the money. He also questioned why the City is hiring out of town firms instead of local firms and if the firm has lobbying capacity in Washington, DC.

Ms. Pat Aauto, Planning, Research and Development Director, gave the particulars.

Mr. Bill Chapman, Deputy Chief Administrative Officer of Financial and Administrative Services/Chief Financial Officer, explained that the funds would be used in phase II of the project.

Mr. Charlie McNabb, Chief Administrative Officer, explained that the firm would provide support to the City's lobbyist.

Representative Sariñana commented that other cities will be eager to use the funds should El Paso not support this project.

Representative Power made comments.

Mr. Ed Drusina, Municipal Services Director, explained that this is for planning services and not for engineering services.

There being no further public comment, the vote was taken.

Motion made by Representative Sariñana, seconded by Representative Escobar and carried to approve the above Resolution.

Representative Cobos voted Nay.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the Solid Waste Management be authorized to sign a Short Term Vehicle Lease Agreement between the City of El Paso and APSCO to lease a Golf Cart with a Cargo Bed for three days, in conjunction with the City of El Paso Solid Waste Management's participation in Black History Month Parade, February 22, 2003.

*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend the term of the agreement for one (1) additional year, from May 15, 2003, through May 14, 2004, pursuant to the provisions of Contract 2000-169, Washing of Heavy Duty Equipment (Rebid), with Horizon Truck Washes, El Paso, TX.

Option No.: One [of One]

Department: Fleet Services
Account No.: 370510-203125
Funding Source: Internal Service Fund
Amount of Award: \$30,000.00 Annual Estimate

*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend the term of the agreement for two additional years, from May 2, 2004 to May 1, 2006 pursuant to the provisions of Contract 2001-173 with Main Auto Parts, El Paso, Texas for Auto Parts-Air Conditioning

OPTION NO.: One [of One]

Amount Of Award: \$15,000.00 Annual Estimate
Account Nos.: 37370510-503121
Funding Source: Fleet Service Internal Service Fund
Department: Fleet Service

*Motion made, seconded and unanimously carried to approve the request to fill the following positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Coach Operator Trainee (13)
- B. Personnel & Payroll Clerk (1)
- C. Museum Preparator (1)

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Parks & Recreation:

Add	1.00	Stores Supervisor	GS 19
Add	1.00	Laborer	GS 7
Delete	1.00	Labor Foreman II	GS 17
Delete	1.00	Trades Helper	GS 11

*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Police:

Add	5.00	Public Safety Communicator	GS 20
Delete	5.00	Public Safety Call Taker	GS 18
Add	1.00	Clerk Typist III	GS 13
Delete	1.00	Clerk Typist II	GS 9

*Motion made, seconded and unanimously carried to appoint Maritza M. Ruley to the Foster Grandparent Program Advisory Board by Representative John Cook.

*Motion made, seconded and unanimously carried to appoint Emily Garcia-Heaton to the Ethics Review Commission by Representative John Cook.

*Motion made, seconded and unanimously carried to appoint Erin Delaney to the Bond Overview Advisory Committee (BOAC) by Representative John Cook.

*Motion made, seconded and unanimously carried to appoint Connie Roberts to the El Paso Mountain Committee by Representative John Cook.

*Motion made, seconded and unanimously carried to appoint Luis Carlos Sandoval Jr. to the El Paso Public Art Commission by Representative Luis Sariñana.

*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #C720-000-0130-0600, \$498.51 per month installments on a balance of \$5,982.12 for 1999, 2000 & 2001 taxes; Jesus M & Tomasa Mendoza – 1048 Luisa Guerra Dr.
- B. PID #T109-999-0240-2500, \$279.84 per month installments on a balance of \$5,037.12 for 1995, 2000 & 2001 taxes; Jose & Corina H. Robledo – 1117 N. Clark Dr.
- C. PID #99MH-999-0000-0073, \$136.83 per month installments on a balance of \$4,925.88 for 1999 & 2000 taxes; Laura Madrid – Jonathon Contreras – 12400 Rojas #26.

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*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Joe Blanco in the amount of \$560.51, overpayment of 2001 taxes.
(PID #1995-999-0605-0034)
- B. Stewart Title Company in the amount of \$1,534.20, overpayment of 2002 taxes.
(PID # B348-999-0040-1600)
- C. Thomas L. & Nancy J. Reynolds in the amount of \$1,313.40, overpayment of 2002 taxes.
(PID #C741-999-0070-4100)
- D. William C. Eggleston in the amount of \$1,795.69, overpayment of 2002 taxes.
(PID #C840-999-0070-0700)
- E. Sierra Title Company, Inc. in the amount of \$7,536.61, overpayment of 2002 taxes.
(PID #H454-999-0070-2000)
- F. Stewart Title Company in the amount of \$1,979.12, overpayment of 2002 taxes.
(PID #N425-999-0270-2100)
- G. Stewart Title Company in the amount of \$1,353.54, overpayment of 2002 taxes.
(PID #N463-999-0010-1300)
- H. Transamerica Real Estate Tax Service in the amount of \$1,666.96, overpayment of 2002 taxes.
(PID #S804-999-0110-4100)
- I. Martin Jr. & Maria L. Juarez in the amount of \$3,475.22, overpayment of 2002 taxes.
(PID #S812-999-0060-0500)
- J. Atlantic Closing Services in the amount of \$2,133.75, overpayment of 2002 taxes.
(PID #V893-999-1160-6300)
- K. Sierra Title Company on the amount of \$3,227.51, overpayment of 2002 taxes.
(PID #V893-999-5610-1900)
- L. Arturo Barraza in the amount of \$689.79, overpayment of 2002 taxes.
(PID #V893-999-5710-3600)
- M. Hector M. Lara in the amount of \$1,753.38, overpayment of 2002 taxes.
(PID #V894-999-0180-1100)
- N. Sierra Title Company in the amount of \$2,210.19, overpayment of 2002 taxes.
(PID #V927-999-0270-1700)
- O. Trans America Real Estate Tax Service in the amount of \$14,336.59, overpayment of 2002 taxes.
(PID #X311-999-0000-3980)
- P. Helene Wortman in the amount of \$1,337.87, overpayment of 2002 taxes.
(PID #Y805-999-017B-1060)

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*Motion made, seconded and unanimously carried to delete Bid No. 2003-008 Renovation to City Hall Mechanical & Lighting Systems

Contractor: Funk and Company
El Paso, TX

Department:	Municipal Services	
Funds Available:	31250102-PPW0034004-27181-508027	
Funding Source:	FY2003 Certificates of Obligation	
Items:	Base Bid	\$1,430,000.00
Total Award:		\$1,430,000.00

The Departments of Purchasing, Engineering, and Municipal Services recommend the award of this contract to Funk and Company, as this Offeror has provided the Best Value Proposal to the City of El Paso and rated favorably in all categories of the evaluation criteria as set forth within the proposal. Their offer is \$62,700.00 below that of the next Offeror. The lighting contractors system will be awarded at a later date with the fire alarm systems project. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

*Motion made, seconded and unanimously carried to award Bid No.: 2003-024 Electric Cart Operator Service

Award to:	RMPersonnel, Inc. El Paso, Texas
Item (s):	All
Amount:	\$86,000.00 (estimated)

Department:	Department of Aviation
Funds available:	62620005-502215
Funding source:	Airport Operating Fund
Total award:	\$86,000.00 (estimated)

The Department of Aviation and Purchasing Departments recommend award as indicated as this vendor has provided the Best Value Bid.

This is a three (3) year Contract, for Electric Cart Operator Service at the El Paso International Airport.

The Contract will officially begin at 12:01 a.m., March 1, 2003.
Vendor does not offer the City the option of extending the term of the contract.
Vendor offers a 1% prompt payment discount if paid within 10 days.

*Motion made, seconded and unanimously carried to award Bid No.: 2003-060 Citywide Repair or Construction of Parkway Structures 2003/2004 Base Bid I

Contractor: J A R Concrete Inc.
El Paso, Texas

Department:	Street Department
Funds Available:	G600441/G600447/60600011/508034
Funding Source:	General Revenue, CD and FTA
Items:	Base Bid I \$1,844,245.00
Total Award:	\$1,844,245.00

The Departments of Purchasing, Engineering and Street Department recommend the award of this contract to J A R Concrete Inc., the next lowest responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the City Engineer, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

Unit Price Component:

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

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*Motion made, seconded and unanimously carried to award Bid No.: 2003-057 Airfield Lighting Supplies (Rebid)

Award to: Siemens Airfield Solutions, Inc.
Columbus, Ohio
Item (s): Group 1
Amount: \$25,000.00 (estimated annually)

Department: Department of Aviation
Funds available: 62620003-503121
Funding source: Airport Operating Fund
Total award: \$25,000.00 (estimated annually)

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

Crouse-Hinds Airport Lighting Products took exception to the City's terms and conditions and inserted its own contract clauses, and therefore is non-responsive on their overall bid. Furthermore, since the sole bid submitted for Group 2 was non-responsive, it is requested to reject and not award this group. This group is being deleted.

Vendor does not offer the City the option of extending the term of the contract. Vendor does not offer a prompt payment discount.

The Contract will officially begin at 12:01 AM, February 19, 2003.

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*Motion made, seconded and unanimously carried to award Bid No.: 2003-085 Red Kap Catalog Uniforms & Corporate Wear

Award to: Bazaar Uniforms & Men's Store
El Paso, Texas
Item (s): All
Amount: \$25,000.00 (estimated)
Department: Department of Aviation
Funds available: 62620005-502215
Funding source: Airport Operating Fund
Total award: \$25,000.00 (estimated)

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties. A lower bid was received, but did not fully comply with the specifications as detailed in the backup.

This is a two (2) year Contract, for Red Kap Catalog Uniforms & Corporate Wear for the Department of Aviation, however, other City departments may utilize this Contract, to meet their requirements as the need arises.

The Contract will officially begin at 12:01 A.M., February 19, 2003.

Vendor offers the City the option of extending the term of the contract for twenty-four (24) additional months utilizing the same pricing structure, if the option is exercised within one (1) year from the date of award of the contract.

Vendor does not offer a prompt payment discount.

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*Motion made, seconded and unanimously carried to approve budget transfer BT2003-324 AIRPORT

To produce an online and hardcopy flight schedule for El Paso International and Juarez Airports.

Increase	\$20,000	to	62620001/40101/502215	Outside Cont NOC
Decrease	\$20,000	from	62620001/40101/504405	Contingency

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*Motion made, seconded and unanimously carried to approve the request of Daniel Rangel to use amplification (PA System; Shore Microphones) at Lincoln Park on February 23, 2003 from 12:00 p.m. to 4:00 p.m. Approximately 150 persons will take part and 100 spectators are anticipated. PERMIT NO. 03-010 [DanielRangel]

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*Motion made, seconded and unanimously carried to approve the request of Special Olympics Texas, Inc. to hold a foot race/walk (8k run) on March 9, 2003 from 7:00 a.m. to 12:00 p.m. Route: Start at Stanton and Cincinnati, south on Kansas, left on Rim Road, proceed to Scenic Drive flag pole, turn around and come back to the same trail. Approximately 400 persons will take part and 45 spectators are anticipated. This request included permission to use amplification (1 small P. A. speaker with microphone). PERMIT NO. 03-011 [Marcos P. Caro]

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*Motion made, seconded and unanimously carried to approve the request of American Lung Association of Texas to hold a walkathon on March 1, 2003 from 7:00 a.m. to 1:00 p.m. Route: Start at McKelligon Canyon Amphitheater parking lot; proceed around McKelligon Canyon Road within the canyon and end at the amphitheater parking lot. Approximately 400 persons are anticipated. This request includes permission to use amplification (1 speaker-300 watts). PERMIT NO. 03-007 [Laura Chapman]

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ORDINANCE 15346

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 18 (BUILDINGS AND CONSTRUCTION) OF THE EL PASO MUNICIPAL CODE, BY AMENDING CHAPTER 18.08 (BUILDING CODE) BY AMENDING SECTION 18.08.050 (SECTION 501.2 AMENDED - PREMISES IDENTIFICATION), TO MODIFY THE REQUIREMENTS FOR BUILDING NUMBERING, THE PENALTY BEING AS PROVIDED IN SECTION 18.02.107 OF THE CODE.**

Representative Sumrall commented that she had asked for the item to be postponed last week.

Mr. Terry Williams, Director of Building Permits and Inspections, revised the effective date on the ordinance to be applicable on February 13, 2003. He also pointed out that this should encourage redevelopment in downtown.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Sumrall, seconded by Representative Power, that the Ordinance be adopted as amended. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15346 and 15347 were considered together.

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ORDINANCE 15347

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 18 (BUILDINGS AND CONSTRUCTION) OF THE EL PASO MUNICIPAL CODE, BY AMENDING CHAPTER 18.02 (BUILDING AND CONSTRUCTION ADMINISTRATIVE CODE), SECTION 18.02.101.5 (EXISTING BUILDINGS) TO MODIFY THE REQUIREMENTS FOR COMPLIANCE WITH THE TECHNICAL CODES RELATED TO THE REPAIR, ALTERATION, RENOVATION OR REHABILITATION OF EXISTING BUILDINGS. THE PENALTY BEING AS PROVIDED IN SECTION 18.04.107 OF THE CODE.**

See discussion on Ordinance 15346.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Sumrall, seconded by Power, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows.

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same hereby adopted.

NOTE: Ordinances 15346 and 15347 were considered together.

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ORDINANCE 15348

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A RENEWAL OF THE FRANCHISE FOR SUNWEST AMBULANCE, INC. TO OPERATE A NON-EMERGENCY AMBULANCE TRANSFER SERVICE.**

Representative Sumrall congratulated the Tax and Fire Departments and the Council for collecting taxes from businesses who do business in the City of El Paso.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Sumrall, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 15349

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-02026 TO SATISFY PARKING REQUIREMENTS FOR PARCEL I, DESCRIBED AS LOT 1, BLOCK 53, A REPLAT OF BLOCK 53, KERN PLACE ADDITION, (MESA AVE. AND KERN BLVD.) BY ALLOWING OFF-SITE OFF-STREET PARKING ON PARCEL 2, DESCRIBED AS LOT 2, BLOCK 53, A REPLAT OF BLOCK 53, KERN PLACE ADDITION (MESA AVE. AND GREGORY WAY), ALL WITHIN EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.28.040.N. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Sumrall, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar and Cobos
NAYS: None Absent: None

Representative Sariñana was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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ORDINANCE 15350

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-02027 TO SATISFY PARKING REQUIREMENTS FOR PARCEL I, DESCRIBED AS TRACTS 26A, 26B, 26B2, 26C, 27A, 27A1 & 27A2, ELIJAH BENNET SURVEY NO. 11, (5115 EL PASO DRIVE) BY ALLOWING OFF-SITE OFF-STREET PARKING ON PARCELS 2 & 3, DESCRIBED AS LOTS 18 & 19, BLOCK 1 AND LOTS 13, 14, & 15, BLOCK 1, HADLOCK'S SUBURBAN GARDEN, (227 COLFAX AVENUE AND 213 & 217 COLFAX AVENUE) ALL WITHIN EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.040.S. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Ms. Pat Adatao, Planning, Research and Development Director, explained that this is a City initiated application for offsite parking.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Medina, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
Motion made by Representative Cobos, seconded by Representative Power and unanimously carried to postpone one (1) week an Ordinance changing the zoning of Lots 9, 10 and the North 6 feet of Lot 8, Block 5, ALEXANDER ADDITION, El Paso, El Paso County, Texas (1119 North Virginia Street) from A-2 (Apartment) to A-O (Apartment-Office). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant / Representative: Sam D. Arney, 655 Nenna Court, El Paso, TX 79932 ZC-02065.

Ms. Pat Aauto, Director of Planning, Research and Development, explained that the intended use is to have professional offices on the first floor and apartments on the second floor.

Representative Cobos expressed his concerns.

.....
ORDINANCE 15351

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 1, SECTION 41, BLOCK 79, TOWNSHIP 2, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (LOOP 375 AND EDGEMERE BOULEVARD) FROM C-1/C (COMMERCIAL/CONDITIONS) TO R-5/C (RESIDENTIAL/CONDITIONS). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Ms. Pat Aauto, Planning, Research, and Development Director explained that this is a request for down zoning for single family residential subdivision.

Representative Power questioned if there was any opposition to which Ms. Aauto responded none.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Power, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar Sariñana and Cobos
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15351 and 15352 were discussed together.

.....
ORDINANCE 15352

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-02029, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON A PORTION OF TRACT 1, SECTION 41, BLOCK 79, TOWNSHIP 2, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (LOOP 375 AND EDGEMERE BOULEVARD) PURSUANT TO SECTION 20.14.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

See discussion for Ordinance 15351.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Power, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos
NAYS: None Absent: None

NOTE: Ordinances 15351 and 15352 were discussed together.

.....
ORDINANCE 15353

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING AND PARKING GENERALLY), SECTION 12.44.180 (B) (REGULATIONS PERTAINING TO CERTAIN SPECIAL SITUATIONS) ADDING A RESERVED PARKING SPACE FOR THE DISTRICT CLERK AND AMENDING PARAGRAPH (B) (27) TO RESERVE FOUR PARKING SPACES FOR THE STATE COURT OF APPEALS JUDGES. THE PENALTY BEING AS PROVIDED IN SECTION 12.48.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Sumrall congratulated Mr. Marquez for addressing the issue.

Representative Cobos questioned if any parking meters were being removed in order to accommodate the parking spaces for the Judges.

Mr. Ted Marquez, Traffic Engineering Division Manager, explained that the public would not lose any parking meters and gave the particulars.

Representative Medina commented.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Sariñana, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos.
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15354

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 014759, WHICH GRANTED A SPECIAL PRIVILEGE TO THE EL PASO COMMUNITY COLLEGE FOR THE ENCROACHMENT OF SUBSURFACE REINFORCING TIE-BACKS FOR A RETAINING WALL ONTO A PORTION OF PUBLIC RIGHT-OF-WAY WITHIN BLOCK 6, SUNSET HEIGHTS ADDITION, BY EXTENDING THE TERM FOR ONE ADDITIONAL YEAR.**

Ms. Pat Adauto, Planning, Research and Development Director, explained that the Development Coordinating Committee (DCC) recommended in favor of the one-year extension, and added that the Planning Department does not notify residents of special privileges.

Representative Cobos questioned if the alley is paved and if so, who paved the alley to which Ms. Adauto responded that she believes the alley is paved and that the City paved the alley.

Representative Rodriguez commented.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Sariñana, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Medina, Cook, Power, Escobar, Sariñana and Cobos.
NAYS: Council Member Rodriguez Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15355

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE CENTRAL BUSINESS ASSOCIATION OF EL PASO, INC., TO PERMIT TEMPORARY SIDEWALK VENDING FOR PARTICIPATING MERCHANTS WITHIN CERTAIN PUBLIC RIGHTS-OF-WAY IN DOWNTOWN EL PASO FROM FEBRUARY 19, 2003 THROUGH JULY 3, 2003.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cobos, seconded by Representative Sariñana, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos.
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15356

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF AIRPORT LABOR SUPERVISOR.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Sariñana, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos.
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15356 and 15357 were considered together.
.....

ORDINANCE 15357

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF CERTIFIED FIREFIGHTER TRAINEE.**

Representative Sumrall questioned the salary range for a certified firefighter trainee.

Assistant Fire Chief Steve Surface explained that in this particular position the trainee is already bringing experience to the position.

Mr. Charlie McNabb, Chief Administrative Officer, explained that the trainee would not be in the position long enough to progress to a higher grade.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Sariñana, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos.
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15356 and 15357 were considered together.

ORDINANCE 15358

The City Clerk read an Ordinance entitled: **AN ORDINANCE ADOPTING MODIFICATIONS TO THE 2025 PROPOSED THOROUGHFARE SYSTEM AS DETAILED IN THE MAP ATLAS OF THE PLAN FOR EL PASO AND ITS RELATED DOCUMENTS APPROVED BY THE EL PASO CITY COUNCIL ON AUGUST 28, 2001.**

Ms. Pat Aauto, Planning, Research and Development, gave the particulars.

Representative Cobos asked questions on the status of the steps.

Ms. Aauto explained that a memo would be forwarded to the Metropolitan Planning Organization to advise them that Council has taken action.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Sumrall, seconded by Representative Sariñana, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos.
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15359

The City Clerk read an Ordinance entitled: **AN ORDINANCE PROVIDING FOR THE 2003 GENERAL ELECTION IN THE CITY OF EL PASO, CALLING FOR AN ELECTION OF OFFICERS.**

Ms. Ruth Reyes, Assistant City Attorney, read revisions into the record.

Representative Sariñana questioned if the Northloop Elementary was on the list of voting sites.

Representative Power questioned if this reflected the new borderlines for the districts to which Ms. Ruth Reyes responded yes.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Sariñana, seconded by Representative Sumrall, that the Ordinance be adopted as amended. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows.

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos.
NAYS: None Absent None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
Motion made by Representative Rodriguez, seconded by Representative Medina and unanimously carried to postpone ninety (90) days the public hearing to determine if the property located at 2322 Silver Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of this property, Ruben Anguiano, 2330 Montana Avenue, El Paso, Texas 79903, have been notified of the violations at this property. Taxes due in the amount of \$3,714.25.

Mr. Thomas Maguire, Building Permits & Inspections Department, presented the case to Council Members and gave the Department's recommendation(s).

Representative Rodriguez questioned the delinquent taxes.

Mr. Edward Hernandez, Delgado, Acosta, Spencer, Linebarger, Heard and Perez LLP, commented that a lawsuit is proceeding.

The City Clerk called for public comment. There was no public comment.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of December 10, 2002, for the property located at 9050 Escobar Drive, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owners of this property, Escobar Partnership, 8811 Alameda Avenue, El Paso, Texas 79907, have been notified of the violations at this property.

.....
RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 3737 Fred Wilson Road, in El Paso, Texas, which property is more particularly described as follows:

Lots: 1 to 4 and 47 Ft. ADJ. ON E, Block 73A, Logan Heights

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Maria C. Sonora and Isabel Medina, 1994 Blake, Los Angeles, CA 90039-3834, record Owners, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on January 7th, 2003; which was postponed until February 18th, 2003, and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:

- a. That the structures located on said property are condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
- b. That the structures are not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- c. The structure's certificate of occupancy is hereby revoked; and
- d. That the structures can be repaired.

2. That the City Council hereby orders Owners to comply with the following requirements:

- a. That the Buildings be secured and maintained secured within (30) days; and
 - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
 - c. That a public hearing be scheduled for April 1st, 2003, in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
 - d. That the Owners of said Buildings are hereby ordered to comply with all requirements of the Resolution; and
 - e. The owners are advised that in order to obtain a new certificate of occupancy, the buildings and the service systems must be brought into compliance with the current codes.
 - f. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Buildings and maintain the Buildings secure and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections shall secure the Buildings and maintain the Buildings secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
4. That said Owners shall become personally liable for all costs incurred by City in connection with securing and maintaining the Buildings secure and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and

6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
 - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
7. That upon failure of the Owners, any mortgages or lienholders to restore the Buildings so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owners, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits & Inspections Department, presented the case to Council Members and gave the Department's recommendation(s).

Representative Rodriguez questioned the delinquent taxes.

Mr. Edward Hernandez, Delgado, Acosta, Spencer, Linebarger, Heard and Perez LLP, gave the status of the taxes.

Representative Cook questioned if the owners from California have responded to which Mr. Maguire commented that the local lienholder has responded but the owners of the property have not.

Motion made by Representative Rodriguez, seconded by Representative Cook and unanimously carried to approve the resolution above.

.....
 *Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of December 3, 2002, for the property located at 125 N. Glenwood Street, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owner(s) of this property, Estate of Delia Sanchez De Ulloa, 5765 Brand Court, El Paso, Texas 79905, have been notified of the violations at this property.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, in accordance with Texas Transportation Code §545.0651, be authorized to submit materials to the Texas Department of Transportation (TXDOT) and sign any related materials, regarding the proposed restriction of through traffic on portions of Interstate Highway 10, on behalf of the City of El Paso. This proposed restriction would limit large trucks to the two controlled access lanes on Interstate 10 which are most immediately to the right of the left-hand (or inner) controlled access lanes, from Mesa Street (milepost 11.2) to Zaragosa (milepost 32), in both directions. The restriction would be in full force and effect each working day from 6:00 a.m. to 8:00 p.m.

Mr. Ted Marquez, Engineering Traffic Division Manager, gave the particulars.

Representative Escobar questioned the definition of commercial vehicles.

Mr. Marquez read the definition into the record and explained that there would be no restrictions where there are only three lanes on the interstate.

Representative Sumrall gave statistics on regulation conformance and stated that she would not support the left and right lane restrictions.

Representative Cobos questioned who regulates what lane trailers must stay on.

Mr. Marquez responded that the State regulates the highway. He then explained that from Executive to McRae, approval would be sent to TXDOT for review and approval will come back to Council.

Representative Sariñana asked questions about the Senate Bill changes.

Representative Rodriguez requested a collision history.

Mr. Marquez responded that TX DOT could be studying the collision history and it would be provided to Council then.

Motion made by Representative Cook, seconded by Representative Power and unanimously carried to approve the above Resolution.

.....
Motion made Representative Sariñana, seconded by representative Cook and unanimously carried to reject all bids submitted for Bid No. 2003-072, Tennant Proprietary Parts & Service. The Purchasing Department and Department of Aviation recommend re-bidding since all bid(s) received did not fully comply with the City's terms and conditions and/or bidder(s) were deemed non-responsive. This item will be re-bid as requested by the Department of Aviation.

Representative Sumrall was not present for the vote.

.....
*Motion made, seconded and unanimously carried to delete the discussion and action on the following candidates for appointment to the Public Service Board as recommended by the Board: Thomas C. Balsiger, Blanca Estela Enriquez, Ernst (Ernie) Edward Roberts.

.....
Item: Discussion and action to override the Mayor's veto of February 4th and to approve the Resolution that the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and Carl A. Parker/Froy Salinas for State legislative lobbying services.

1st Motion:

Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried to delete the above item, approved with the consent agenda.

2nd Motion:

Motion made by Representative Escobar, seconded by Representative Cobos and unanimously carried to reconsider the above item.

3rd Motion:

Motion made by Representative Medina, seconded by Representative Sumrall and carried to delete the discussion and action to override the Mayor's veto of February 4th and to approve the Resolution that the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and Carl A. Parker/Froy Salinas for State legislative lobbying.

AYES: Representatives Sumrall, Rodriguez and Medina
NAYS: Representatives Cook, Power, Escobar, Sariñana and Cobos
Motion to delete FAILED.

4th Motion:

Motion made by Representative Cook, seconded by Representative Power and carried to override the Mayo's veto of February 4th and to approve the Resolution that the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and Carl A. Parker/Froy Salinas for State legislative lobbying services.

AYES: Representatives Rodriguez, Cook, Power, Escobar, Sariñana and Cobos
NAYS: Representatives Sumrall and Medina

Representative Power commented on a fax he received from Bracewell indicating that the fee would be lowered to \$96,000 from \$120,000.00.

Representatives Sumrall and Medina expressed their concerns regarding Bracewell lowering their fee once they saw that the City could not afford it.

Representative Medina stated that he never received a report from Bracewell as requested.

Representative Power questioned the need for a veto.

Mayor Caballero commented on the need for assistance in transportation and Bracewell have the experience in education and more access in politics to achieve the desired result for the City.

Representative Cobos stated that Bracewell has not been consistent in providing Council with monthly reports.

.....
Motion made by Representative Sariñana, seconded by Representative Medina and unanimously carried to deny the appeal by Sai Romo (WAI KI KI LLC) at 7958 Alameda on the denial of a license for the sale of alcoholic beverages due to the business's proximity to Cadwallader Elementary School in accordance with Section 20.08.090(B)(1) and 20.08.090(B)(4) of the El Paso Municipal Code.

Mr. Romo, property owner, explained that he purchased and repaired the building.

Representative Sariñana stated he does not support bars close to schools.

Mr. Terry Williams, Deputy Director of Building Permits and Inspections, commented that the last license issued was in the year 1996.

Representative Sumrall questioned the distance of the building from the school to which Mr. Terry Williams responded 156 feet.

Motion made Representative Sumrall, seconded by Representative Cook and unanimously carried to accept the report from the Ethics Review Commission relating to the Commission's annual report on file in the Office of the City Clerk on the following specific items: A summary of activities and accomplishments of the Commission during 2002; Information pertaining to the Ethics Ordinance revisions adopted by the Council in November 2002.

Representative Sumrall commended the Ethics Review Commission and Ms. Elaine Hagen, Assistant City Attorney, for their wonderful job.

Mr. Alonso Flores, Ethics Review Commission, gave the report (on file in the City Clerk's Office).

.....
Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 18 (Buildings and Construction) of the El Paso Municipal Code, by amending Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.103.3 (Examination of Documents), Section 18.02.103.7 (Fees) and Section 18.02.108 (Inspections) to provide for the review of permit documents and the performance of inspections by approved third party companies. The penalty being as provided in Section 18.04.107 of the Code.
- B. An Ordinance permitting the El Paso Diabetes Association to use a portion of Shawver Park and Pavilion from 6:00 AM until 4:00 PM on March 29, 2003.
- C. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.060 (Schedule VI-Parking time limited on certain streets), Paragraph A (Parking time limit two hours between 8:00 A.M. and 6:00 P.M., except Sundays and legal holidays) of the El Paso Municipal Code, to add a location on the north side of Boston Avenue from Stanton Street to a point 120 feet west thereof. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.

PUBLIC HEARING WILL BE HELD ON MARCH 4, 2003 FOR ITEMS A – C

- D. An Ordinance changing the zoning of a portion of Tract 1B and Tract 2B, Block 10, UPPER VALLEY SURVEYS, El Paso, El Paso County, Texas (Upper Valley Road north of Artcraft Road) from R-F (Ranch-Farm) to R-3A (Residential). The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: DORO Developers I, Ltd. / Representative: CEA Engineering Group; 2718 Wyoming Avenue, El Paso, TX 79903. ZC-02069.
- E. An Ordinance granting Special Permit No. SU-02030, to allow for a planned residential development on a portion of Tract 1B and Tract 2B, Block 10, UPPER VALLEY SURVEYS, El Paso, El Paso County, Texas (Upper Valley Road north of Artcraft Road) pursuant to Section 20.12.040. The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: DORO Developers I, Ltd. / Representative: CEA Engineering Group; 2718 Wyoming Avenue, El Paso, TX 79903. **THIS IS AN APPEAL CASE.**

PUBLIC HEARING WILL BE HELD ON MARCH 11, 2003 FOR ITEMS D - E

Public Hearings will be held as part of the regular City Council meeting, which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

ADDITION TO THE AGENDA

*Motion made by Representative Sariñana, seconded by representative Cook and unanimously carried to delete the following item: Discussion of mobile home located at 8028 Gilbert. I feel my back door neighbor is harassing me. My mobile home has been there for 19 years and he's only been there about 2 years. Now, I was going to move my mobile home but I have to take out the mobile home through his property, now he wants \$500.00 to let me through. The mover charges \$700.00.

Representatives Sumrall, Medina, Escobar and Cobos were not present for the vote.

.....
***RESOLUTION IN SUPPORT
OF ESTABLISHING THE TEXAS A&M
TRANSPORTATION INSTITUTE BRANCH
EL PASO, TEXAS**

WHEREAS, The El Paso Metropolitan area is critical to the economic vitality of the State of Texas;
and

WHEREAS, the area faces many unique transportation issues, including those associated with the movement of goods and people across the United States/Mexico Border; and

WHEREAS, addressing these issues and concerns related to vehicle generated air pollution is essential to enhancing the economic prosperity of the El Paso region and the State of Texas; and

WHEREAS, the Texas A&M Transportation Institute Branch in El Paso would focus on traffic management using advanced technologies, enhancing the movement of people and goods across the United States/Mexico Border and examining transportation air quality issues as set forth in the exceptional item description attached.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That, the City of El Paso does hereby unanimously endorse and support establishing the Texas A&M Transportation Institute Branch and Legislative Appropriations Request to identify key issues, defining research needs and carrying out selected research projects.

.....
***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a revised grant application on behalf of the El Paso Zoo for submission to the Institute of Museum and Library Services ("IMLS") and to sign the related contracts and documents should funds be granted, either in the requested amount or at such lesser amount as may be approved by the IMLS. The application, for the 2003 IMLS Learning Opportunities Grants, is for \$146,994 over two years to offset costs of two contract positions for a bilingual educator and a translator to expand the Zoo's educational outreach program. The new staff members will assist the Zoo in offering traveling safari and other wildlife conservation programs to children and the families of children who speak English as a second language or no English at all. A revised in-kind match by the City valued at \$226,000 will be required, reflecting an increase in \$2,800 of indirect costs to be borne by the City.

.....
*Motion made, seconded and unanimously carried to re-appoint David A. Palmer to the Ethics Review Commission requested by Representative Daniel Power.

.....
*Motion made, seconded and unanimously carried to appoint Charles L. (Larry) Glisan to the Bond Overview Advisory Board by Representative Rose Rodriguez.

*Motion made, seconded and unanimously carried to approve budget transfer BT2003-376 SOLID WASTE

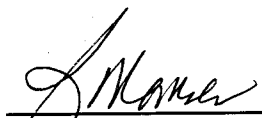
Set-up revenue received and appropriations for grants received from Rio Grande Council of Governments (Pass Through Grant) Grants are for FY2003. Their grants will serve to (a.) purchase 2 meshwire trailers to store aluminum cans, (b.) deskside baskets to separate office paper, (c.) rollofts to pick-up extra residential waste, and (d.) to establish a Household Hazardous event in the northeast area.

Increase	\$14,000.00	to	34150304/G34030307116/406001	StGrtProc
Increase	\$14,000.00	to	34150304/G34030307116/508029	HvyOffRdEq
Increase	\$16,450.00	to	34150303/G34030307116/406001	StGrtProc
Increase	\$16,450.00	to	34150303/G34030307116/503101	MinOffEqSup
Increase	\$25,000.00	to	34150302/G34030307116/406001	StGrtProc
Increase	\$25,000.00	to	34150302/G34030307116/508029	HvyOffRdEq
Increase	\$18,204.94	to	34150301/G34030307116/406001	StGrtProc
Increase	\$18,204.94	to	34150301/G34030307116/502215	Contractual Svcs

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*Motion made, seconded and unanimously carried to approve the request of El Paso Building Trades to hold a demonstration on February 21, 2003 from 10:00 a.m. to 2:00 p.m. at 7155 Industrial (sidewalk). Approximately 50 persons will take part and 50 spectators are anticipated. PERMIT NO. 03-012 [James Blackwell].
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Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 11:05 A.M.
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APPROVED AS TO CONTENT:



Richarda Duffy Momsen, City Clerk